

**Notice of Allowability**

Application No.

10/006,677

Examiner

Michael P. Stafira

Applicant(s)

DAIMARU ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 10 December 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____    | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Allowable Subject Matter***

2. Claims 1-7 are allowed over the prior art of record.
3. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art fails to disclose or make obvious a method for processing a spectacle lens having the step of calculating a calculated optical reference point position which includes a calculated position of the optical center by using the measured data and marking the lens by placing the lens at the point of measurement and generating mark data representing the position of the mark. The prior art further failed to disclose processing the mark data representing the position of the mark to determine a relative relationship between the position of the mark and the calculated position of the optical reference point, so as to generate a first data representing the relationship between the position of the mark and the calculated position of the optical reference point, and in combination with the other recited limitations of claim 1. Claims 2-3 are allowed by the virtue of dependency on the allowed claim 1.

Regarding claim 4, the prior art fails to disclose or make obvious a method for processing a spectacle lens having the steps of calculating a calculated optical reference point position, which includes a calculated position of an optical center, on the lens using the measured data, wherein the calculated optical reference point position is calculated by the first information

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processing portion and marking the lens with a mark placed at a position on the lens at the point of measurement and generating first mark data representing the position of the mark. The prior art further fails to disclose a method of processing the first mark data to determine a relative relationship between the position of the mark and the calculated position of the optical reference point, thereby generating third data representing the relationship between the position of the mark and the calculated position of the optical reference point, and in combination with the other recited limitations of claim 4.

Regarding claim 5, the prior art fails to disclose or make obvious a lens meter having a second marking portion for marking the lens, wherein the second portion is disposed in proximity to the first portion and operates to place a mark at the point of measurement on the lens and operates to transmit data representing the position of the mark and a third information processing portion for information processing, having the third portion is operationally connected to the first portion and the second portion and operates to receive the data representing the measured optical properties and the data representing the position of the point of measurement from the first portion and to receive data representing the position of the mark from the second portion, the third portion further operates to calculate a calculated position of an optical reference point, including a calculated position of an optical center, on the measured lens in response to receiving data representing the measured optical properties from the first portion, to generate data representing a relationship between the position of the mark and the calculated position of the optical reference point in response to receiving data representing the position of the mark transmitted from the second portion, and subsequent to calculating the calculated

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position of the optical reference point, and in combination with the other recited limitations of claim 5. Claim 6 is allowed by the virtue of dependency on the allowed claim 5.

Regarding claim 7, the prior art fails to disclose or make obvious an apparatus for processing a spectacle lens having a circuit for signal processing, where the circuit for signal processing receives a first signal from an optical system for measurement and a second signal from a lens marking portion, wherein the first signal corresponds to data measured by the optical system and the second signal corresponds to data generated by the lens marking portion. The prior art further failed to disclose a circuit for numerical calculation, wherein the circuit for numerical calculation calculates a calculated optical reference point position, including a calculated position of an optical center in response to receiving the first signal from the optical system for measurement, and the circuit for numerical calculation processes the calculated position of the optical center and the second signal from the lens marking portion to determine a relationship between the calculated position of the optical center and the second signal, thereby generating output data representing the relationship between the calculated position of the optical center and the second signal, and in combination with the other recited limitations of claim 7.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

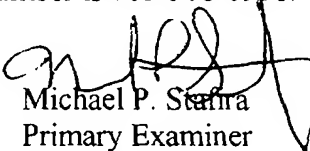
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Stafira whose telephone number is 703-308-4837.

The examiner can normally be reached on 4/10 Schedule Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on 703-308-4881. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

  
Michael P. Stafira  
Primary Examiner  
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September 2, 2003